

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE WEYERBACHER BREWING COMPANY, INC., Debtor.	Chapter 11 Judge: PMM Case No. 22-11665
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**FIRST INTERIM APPLICATION FOR COMPENSATION
AND REIMBURSEMENT OF EXPENSES OF CIARDI CIARDI & ASTIN,
COUNSEL TO THE DEBTOR, FOR THE PERIOD OF
JUNE 27, 2022 THROUGH AUGUST 30, 2022**

Ciardi Ciardi & Astin, in accordance with F.R.B.P. 2016, applies under § 330 of the Bankruptcy Code for an award of compensation and reimbursement of actual, necessary expenses and represents:

Part A Preliminary Statement

1. Applicant is counsel to the Debtor pursuant to Court Order.
2. All services rendered and expenses incurred for which compensation or reimbursement is requested were performed or incurred for or on behalf of the Debtor.
3. The services described in this Application are actual, necessary services and the compensation requested for those services is reasonable.
4. The expenses described in this Application are actual, necessary expenses.

Part B General Information

1. Period: March 17, 2022 through May 31, 2022.

Final Application	
Interim Application	X

	<u>Requested</u>
Fees	\$54,887.50
Expenses	\$3,703.93
Total	<u>\$58,591.43</u>

- ## 2. General Information

- a. Date Case filed: June 27, 2022
- b. Date application to approve employment filed: June 27, 2022
- c. Date employment approved: July 19, 2022
- d. First date services rendered in this case: June 27, 2022
- e. Compensation is under §330: X Yes No
If other statutory basis, specify: §
- f. Any fees awarded will be paid from the estate:
X Yes No
If no, state the source of payment of any fee that is awarded.
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- g. This application is for a period of less than 120 days after the filing of the case or less than 120 days after the end of the period of the last application.
X Yes No

3. Prior Applications: n/a

	<u>Requested</u>	<u>Allowed</u>	<u>Paid</u>	<u>Due</u>
Fees				
Expenses				

- #### 4. Attorneys Billing for Current Period

<u>Name</u>	<u>Hours</u>	<u>Billing Rate</u>	<u>Total</u>
Albert A. Ciardi, III	34.60	\$575.00	\$19,895.00
Jennifer C. McEntee	81.60	\$425.00	\$34,617.50
Daniel Seidman	1.0	\$375.00	\$375.00
TOTAL:	117.20		\$54,887.50

Paralegals Billing for Current Period: n/a

<u>Name</u>	<u>Hours</u>	<u>Billing Rate</u>	<u>Total</u>
		\$	\$
TOTAL:	_____		\$

Billing Rates

5. a. Are any of the billing rates different than the billing rates set forth in your last application?
_____ Yes X No
- b. If yes, indicate whose billing rates are different and explain why?

Part C Billing Summary

1. **Description of Services.** Provide adequate detail appropriate for the amount of time billed and the nature and variety of the services rendered.

2. **Detail of Hours Expended.** Set forth in list form or attach a list that shows the name of the professional or paraprofessional, date, activity, and time expended. The list may be organized in either of two ways.

(a) By each professional or paraprofessional in chronological order for the application period; or

(b) By day in chronological order showing all professionals or paraprofessionals that billed time on a particular day during the application period.

See attached Exhibit "A".

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1. **Summary of Services by Category**

The services rendered by Applicant during the Application Period can be grouped into the categories set forth below. The attorneys and paraprofessionals who rendered services relating to each category are identified, along with the number of hours for each individual and the total compensation sought for each category in Exhibit "A" attached hereto.

Business Operation (PA3)

Fees: \$5,907.50 Total Time: 13.30

This category includes review of and rendering advice on the Debtor's business operations, including, but not limited to, budget issues, post-petition administrative claims and other activities relating to the operation of the Debtor's business. This category also includes services rendered related to the reduction of overhead expenses and third party contracting in the ordinary course of the Debtor's business as well as the review of monthly and quarterly reporting.

Attend Hearings (PA24)

Fees: \$17,345 Total time: 34.60

This category represents time spent preparing for and attending hearings on motions filed by or against the Debtor. Specifically, the Debtor was involved in two contested cash collateral hearings and hearings on debtor-in-possession financing as well as an auction, various status hearings, and a bid procedures hearing followed by a sale hearing.

Motion Practice (PA23)

Fees: \$16,252 Total time: 34.80

This category includes the research, analysis, drafting and filing of various motions on behalf of the Debtor. This category also includes the drafting of responsive pleadings, after review and discussion with the Debtor, to pleadings filed by creditors of the Debtor, parties in interest, or the Office of the United States Trustee.

Employment Applications (PA7)

Fees: \$977.50 Total time: 2.30

This category represents time spent drafting and defending the retention applications of various professionals in the Debtor's bankruptcy case.

Meeting of Creditors (PA11)

Fees: \$425.00 Total time: 1.0

This category represents time spent preparing the client for the Section 341 Meeting of Creditors, attending the Section 341 Meeting of Creditors, and time spent responding to supplemental requests for information from the Official Committee of Unsecured Creditors.

Claims Administration and Objections (PA5)

Fees: \$552.50 Total time: 1.30

This category represents time spent analyzing claims of creditors of the Debtor's estate, the review of the basis for each claim, and time spent drafting, filing, and prosecuting objections to claims.

Financing (PA9)

Fees: \$595.00 Total time: 1.40

This category represents time spent and services rendered locating and negotiating terms with possible debtor-in-possession lenders; time spent researching, locating, and negotiating with potential sources of exit financing; and time spent drafting motions to approve certain levels of financing. The Debtor filed a Motion for Approval of Debtor-in-Possession Financing and this category includes time spent reviewing and revising the underlying loan documents for the approved transaction.

Litigation (PA10)

Fees: \$765.00 Total Time: 1.80

This category represents time spent and services rendered drafting suggestions of bankruptcy, reviewing and responding to informal information requests, discovery requests, and drafting corresponding nondisclosure agreements or confidentiality agreements.

Sale (PA2)

Fees: \$12,067.50 Total Time: 26.70

This category represents time spent and services rendered in connection with the filing and support of the Debtor's sale motion, bid procedures, overall sale process and closing on the sale to a potential buyer. This category also includes time spent negotiating a sale order and attending the auction of the Debtor's assets.

2. **Detail of Hours Expended.** Attached hereto as Exhibits A, B, and C, are the time entries of attorneys. Exhibit A represents time entries sorted chronologically. Exhibit B represents time entries sorted by attorney. Exhibit C represents time entries sorted by task or sub-category.

Part D Expense Summary

Set forth in list form or attach a list that shows the type of expenses for which reimbursement is sought. For each type of expense either

- (a) state the amount of the expense that is calculated using the applicant's in-house actual cost or the actual amount billed by a Fourth party provider, or
- (b) explain how the amount of the expense is calculated:
 - Faxes = \$1.00 per page
 - Copies = \$0.10 per page

See attached Exhibit "B".

WHEREFORE, Applicant requests an award of **\$54,887.50** in compensation and of **\$3,703.93** in reimbursement of actual, necessary expenses for a total award of **\$58,591.43**.

Dated: September 1, 2022

CIARDI CIARDI & ASTIN

/s/ Albert A. Ciardi, III

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